

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CASSIUS M. CLAY, SR., }  
Plaintiff, }  
v. } Civil Action No. 05-125 Erie  
TRACEY REEVES, et al., }  
Defendants. }

**MEMORANDUM ORDER**

This action was received by the Clerk of Court on April 28, 2005, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [Doc. No. 116], filed on June 17, 2008, recommended that Defendants' motion for summary judgment [Doc. No. 109] be granted. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Plaintiff by certified mail and on Defendants. Plaintiff filed objections on July 7, 2008 [Doc. No. 117], and Defendants' filed a Response to Plaintiff's objections on July 10, 2008 [Doc. No. 118]. After de novo review of the motion and documents in the case, together with the Report and Recommendation, objections thereto and response to the objections, the following order is entered:

AND NOW, this 15<sup>th</sup> day of July, 2008;

IT IS HEREBY ORDERED that [Doc. No. 109] Defendants' motion for summary judgment is GRANTED.

The Report and Recommendation [Doc. No. 116] of Magistrate Judge Baxter, filed on June 17, 2008, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin  
United States District Judge

cm: All parties of record  
Susan Paradise Baxter, U.S. Magistrate Judge